IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.52203 of 2007

MD.KALE @ SEKH KALE & ORS

Versus

THE STATE OF BIHAR

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4. 15.7.2008 Heard the learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in connection with Sursand P.S. Case No.97 of 2007 for the offences registered under sections 304B/34 of the Indian Penal Code.

It is submitted on behalf of the petitioners that the petitioners have been implicated in this case without any valid justification and on baseless suspicion. It is further submitted that even during investigation nothing material has come against these petitioners. The mother-in-law of the deceased is already in custody.

Learned counsel for the State opposes the prayer for grant of bail, however, he is not in a position to refute the submissions made on behalf of the petitioners.

Considering the submissions, as noticed above, and on perusal of the allegations made in the F.I.R. as also the other materials brought on record, it is directed that petitioners no.1 to 4, namely, Md.Kale @ Sekh Kale, Samira Khatoon @ Sagira Khatoon, Nargis and Noor Janha, respectively, in the event of their arrest or surrender in connection with Sursand P.S. Case No.97 of 2007, within a period of four weeks from today, be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two

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sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Pupri, Sitamarhi, in connection with the aforesaid case, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

PNM **(Shailesh Kumar Sinha, J.)**

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